

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA :
Plaintiff : CASE NO. 1:12CR449-09
-vs- :
CLARZEL BUCKNER : ORDER ACCEPTING PLEA
Defendant : AGREEMENT AND JUDGMENT

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Kenneth S. McHargh regarding the change of plea hearing and plea agreement of Clarzel Buckner which was referred to the Magistrate Judge with the consent of the parties.

On 26 September 2012, the government filed a three-count indictment against Clarzel Buckner for conspiracy to possess with intent to distribute and to distribute cocaine in violation of 21 U.S.C. § 846, and use of a communication facility to facilitate a drug trafficking offense in violation of 21 U.S.C. § 843(b). On 2 October 2012, a hearing was held in which Clarzel Buckner entered a plea of not guilty before Magistrate Judge McHargh. On 7 August 2013, Magistrate Judge McHargh received Clarzel Buckner's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Clarzel Buckner is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Clarzel Buckner is adjudged guilty of Count One in violation of 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(C).

IT IS SO ORDERED.

Dated:

September 2013

Lerry Wells
UNITED STATES DISTRICT JUDGE